IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 10347 of 2005

Between:

1 M.Yenkappa, S/o.Nagappa,
R/o.Ogipur Village, Tandur Mandal RR Dist.
2 Abdul Rasheed, S/o.Abdul Kareem,
R/o.Indirachowk, Tandur, RR Dist.
3 The Asst.Director, Mines and Geology, Tandur, R.R.District.

..... PETITIONERS

AND

1 The Mandal Revenue officer, Tandur Madal, RR District.
2 The Collector, Rangareddy Dist. at Lakadikapul, Hyderbad.
3 The Asst.Director Mines & Geology, Tandur, RR Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of mandamus declaring the action of the first respondent in issuing the impugned order bearing Proc.No.B/251/2005, dt.7-4-2005 seeking to resume petitioners land admeasuring Acs.1.20guntas in Survey No.129/12 of Ogipur Village, Tandur Mandal, Rangareddy District as arbitrary and illegal and set aside the same.

Counsel for the Petitioners:MR.S.SATYAM REDDY

Counsel for the Respondents: GP FOR REVENUE

This Court at the admission stage made the following:

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.10347 of 2005

ORDER:

This writ petition is filed questioning the order dated 07-04-2005 passed under the Andhra Pradesh Assigned Lands (Prohibition of Transfer) Act, 1977 (hereinafter referred to as 'the Act') thereby resuming the land in possession of the petitioners.

Though the learned counsel for the petitioners raised various contentions, I am not inclined to express any opinion since against the impugned order dated 07-04-2005 an efficacious alternative remedy of appeal is available under the Act.

The writ petition is accordingly disposed of granting leave and liberty to the petitioners to workout the alternative remedy. However, having regard to the facts and circumstances of the case, there shall

be a direction that status quo obtaining as on today as to the nature and possession of the land-in-question shall be maintained for a period of four weeks from today. No costs.

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(G. ROHINI, J)

Dated: 29-04-2005

Note:

Issue CC in two days.

B/o

ghn

To

1 The Mandal Revenue officer, Tandur Madal, RR District.
2 The Collector, Rangareddy Dist. at Lakadikapul, Hyderbad.
3 The Asst.Director Mines & Geology, Tandur, RR Dist.

4 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.